

COUNTY OF YORK

MEMORANDUM

DATE: March 14, 2005 (BOS Mtg. 4/19/05)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Proposed amendment to York County Code § 9-38, Relocation of Queens Lake Precinct Polling Place from Queens Lake Middle School to Magruder Elementary School

Attached is correspondence from Josephine L. Hargis, Secretary of the York County Electoral Board, requesting that the polling place for the Queens Lake Precinct be relocated from Queens Lake Middle School to Magruder Elementary School. In July 2003, when Queens Lake Middle School was about to be closed down for extensive renovations, the County requested permission from the U. S. Department of Justice under the Voting Rights Act for a temporary relocation of the polling place to Magruder Elementary School, and that permission was granted. Magruder Elementary School has been used as the precinct's polling place since. However, now that Queens Lake Middle School has been renovated and is available for use once again as a polling place, the temporary approval is no longer operative, and under the County's ordinance and in accordance with the Voting Rights Act, Queens Lake Middle School will once again be the polling place for the Queens Lake precinct.

To make a change permanent, the County must amend County Code § 9-38 as shown in the attached draft ordinance, and must receive approval from the U. S. Department of Justice for the change. The Justice Department's approval can be expected, given that the approval for a temporary change was readily granted in 2003. It is the Electoral Board's hope that this change can be enacted, and Justice Department preclearance obtained in time for the polling place change to be effective for the June 14 primary elections. You will note that the draft ordinance makes the change contingent upon obtaining preclearance approval, and also for having time for the Registrar to give the 15 day notice to voters within the precinct as required by Code of Virginia § 24.2-306.

If the Board is willing to adopt the proposed ordinance, a submission will be made to the Justice Department immediately, with a request for expedited review. If the Justice Department takes the full 60 days it is allowed by law to notify the County of its decision, then there would not be time remaining to implement the change, and the changed location would then become effective for the general election in November.

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Staff has contacted the York County School Division, who has no objection to the proposed change in polling place.

I recommend the adoption of proposed Ordinance No. 05-7.

Barnett/3440:swb

Attachments

- Correspondence from Josephine Hargis, Secretary, York County Electoral Board
- Proposed Ordinance No. 05-7